



Office of Advocacy

August 19, 1998

Thomas E. Kelly (MC-2131)
Small Business Advocacy Chair
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Subject: Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines: Tier 2 Light-Duty Vehicle and Truck Emission Standards and Gasoline Sulfur Control; SBREFA Small Business Advocacy Panel

Dear Mr. Kelly:

I have received your letter dated August 7, 1998, regarding Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines: Tier 2 Light-Duty Vehicle and Truck Emission Standards and Gasoline Sulfur Control, notifying us of the possibility of convening a Small Business Advocacy Review Panel under section 609(b) of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996.

We have reviewed the list of suggested small business representatives, and have added three additional parties (see attachment) who seek to participate, if the agency determines that a Panel is to be convened for either one or both of the rulemakings. We also note that the agency is still in the process of conducting outreach to identify potential small entity representatives for this rulemaking, and have committed to submitting the names of any additional representatives not already identified to this office.

We appreciate the advance receipt of some of the materials associated with the rulemaking forwarded by your office, including the list of small entity representatives already identified by EPA, and general background information concerning the rule. We also note that representatives from the Office of Mobile Sources held an outreach meeting designed to brief potential small entity representatives for this proposed Panel August 18.

Next Steps

We understand that the agency plans to draft a report containing the views and the recommendations of the small entity representatives, and re-evaluate whether the proposal would have a significant impact on a substantial number of small entities. If not, a Panel would not be required under SBREFA. If a Panel is convened, a final Panel report would be prepared.

If a panel(s) is warranted, we ask that EPA provide, in advance of the convening of the Panel, supporting materials and possibly a draft regulatory analysis and/or draft rule (see RFA section 609(b)(4)), in order to allow sufficient review time by Panel members. We look forward to working with the agency to implement this important new law.

Sincerely,

Jere W. Glover
Chief Counsel for Advocacy

cc: Art Fraas, OMB

Attachment

Al Gonzalez
Chairman, AGE Refining
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